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PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)
2303-22-3

In re Application of: Buchholz et al

Application No. 09/602,212

Filed: June 23, 2000

For: Production of Attenuated Human-Bovine Chimeric Respiratory Syncytial Virus Vaccines

The owner*, National Institutes of Health of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on Patent Nos. 6,264,957, 6,699,476, and 6,713,066 of any patent on these applications. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

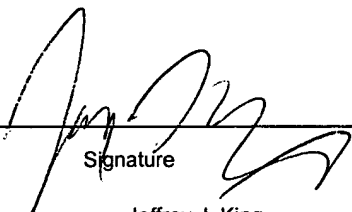
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2. ☒ The undersigned is an attorney of record.



Signature
Date 08-10-04

Jeffrey J. King
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425/455-5575
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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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